

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.3343 of 2025

Applicant : Zahid @ Langhra son of Javed Akhter
through Mr. Faraz Ahmed Abro, Advocate.

Complainant : Muhammad Umar son of Tanveer Ahmed
through Mr. Abid Ali Chand, Advocate.

Respondents : The State through Mr. Mumtaz Ali Shah,
Assistant Prosecutor General Sindh.

Date of Hearing : 05.03.2026.

Date of Order : 05.03.2026.

ORDER

TASNEEM SULTANA, J.— Through this Criminal Bail Application filed under Section 497 Cr.P.C., the applicant Muhammad Zahid seeks post-arrest bail in Crime No.1109 of 2025 registered at Police Station Surjani Town, Karachi, for the offence punishable under Section 365-B P.P.C. His earlier Bail Application No.5796 of 2025 for the same relief was declined by the learned Additional Sessions Judge-X, Karachi-West, vide order dated 13.11.2025. Hence, the present application.

2. Brief facts of the prosecution case are that the complainant Muhammad Umar reported that on the night of 22.08.2025 he went to sleep at his house along with his family at about 02:30 a.m. Suddenly at about 04:00 a.m., his younger daughter woke him up and informed that his elder daughter Laiba, aged about 14/15 years, was not present in the house. Upon inquiry from other members of the family, it transpired that a person namely Rizwan had allegedly enticed and abducted his daughter with the intention to commit zina or some wrongful act, in consequence whereof the present crime was registered.

3. Learned counsel for the applicant contends that the applicant is innocent and has been falsely implicated in the present case; that he was not nominated in the FIR ; that no role of abduction or enticement has been attributed to the applicant; that the allegation against him is merely that the abductee and the principal accused allegedly stayed for some time at his tailor shop; that the statement of the abductee recorded under Section 164 Cr.P.C. does not attribute any criminal act to the present applicant; that no incriminating material has been brought on record connecting the applicant

with the commission of the alleged offence; and that the case of the applicant falls within the ambit of further inquiry under Section 497(2) Cr.P.C. Conversely, learned D.P.G. for the State opposes the bail application and contends that the abductee in her statement recorded under Section 164 Cr.P.C. stated that she along with the principal accused stayed for some time in the shop of the present applicant; that such circumstance connects the applicant with the occurrence; therefore, the applicant does not deserve the concession of bail.

4. Whereas learned counsel for the complainant submits that the complainant has no objection to the grant of bail to the applicant.

5. Heard. Record perused.

6. On tentative assessment of the material available on record, it appears that the daughter of the complainant was allegedly enticed and abducted by co-accused Rizwan with the intention to commit zina or some wrongful act. Admittedly, the present applicant was not nominated in the FIR, and no role of abduction or enticement was attributed to him at the time of lodging of the report. His involvement surfaced during investigation on the allegation that the abductee, along with the principal accused, had stayed for some time at the tailor shop of the present applicant. The statement of the abductee recorded under Section 164 Cr.P.C. also indicates that the co-accused accompanied her to the tailoring shop of the present applicant.

7. In these circumstances, the question arises whether the mere presence of the abductee and the principal accused at the shop of the present applicant, without any allegation of abduction or enticement on his part, is sufficient to connect him with the commission of the offence punishable under Section 365-B P.P.C. This aspect, in the peculiar facts of the case, requires determination after recording of evidence before the learned trial Court and cannot be conclusively adjudicated at the bail stage. Thus, the material presently available on record calls for further inquiry within the meaning of Section 497(2) Cr.P.C.

8. Consequently, the applicant Muhammad Zahid S/o Javed Akhtar is admitted to bail subject to furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

JUDGE